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To: Examiner Teresa E. Strzelecka
United States Patent and Trademark Office

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Fax: 571-273-8300

From: David C. Foster

Telephone: 650.324-7029

Direct Fax: 650-324-0638

No. of Pages: 5 (Including cover)

Date: January 3, 2006

40019-0008 C1

Re: Resubmission of Power of Attorney by Assignee and Executed Statement
Under 37 CFR 3.73(b) for:
Title: Method for Generating Transcriptionally Active DNA Fragments
Serial No.: 09/919,758
Inventors: Xiaowu Liang et al.
Filed: July 31, 2001
Docket No.: 40019-0008 C1

Dear Ms. Strzelecka:

Please accept this resubmission of the "Power of Attorney by Assignee and Executed Statement Under 37 CFR 3.73(b) for the above-identified application. The previous documents were filed on July 18, 2005.

The Commissioner is authorized to charge any fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 40019-0008 C1).

SV 2177153 v1
(40019.0008)

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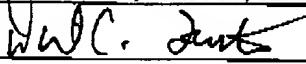
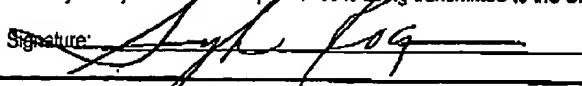
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PTO/SB/21 (6-99)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/919,758
		Filing Date	July 31, 2001
		First Named Inventor	Xiaowu Liang et al.
		Group/Art Unit	1637
		Examiner Name	Teresa E. Strzelecka
Total Number of Pages in This Submission		Attorney Docket No.	40019-0008 B
ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement with Form PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response To Missing Parts Under 37 CFR 1.52 Or 1.53 <input type="checkbox"/> Copy Of Notice	<input checked="" type="checkbox"/> Copy of Previously Filed "Power of Attorney and Correspondence Address Indication Form" of 7/18/05	<input type="checkbox"/> After Allowance Communication to Group	
	<input checked="" type="checkbox"/> Copy of Previously filed Statement Under 37 CFR 3.73(b) of 7/18/05	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
	<input type="checkbox"/> Assignment	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
	<input type="checkbox"/> Copy of Combined Declaration for Patent Application and Power of Attorney	<input type="checkbox"/> Proprietary Information	
	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):	
	<input type="checkbox"/> Terminal Disclaimer	Fax Cover Sheet	
	<input type="checkbox"/> Small Entity Status Claimed		
	Remarks		
	AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		
	SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Firm or Individual name	HELLER EHRMAN LLP 275 Middlefield Road, Menlo Park, California 94025 Telephone: (650) 324-7000 Facsimile: (650) 324-0638		
Signature			
Date	January 3, 2006	Customer Number:	33123
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/919,758
		Filing Date	July 31, 2001
		First Named Inventor	Xiaowu Liang
		Group/Art Unit	1637
		Examiner Name	T.E. Strzelecka
Total Number of Pages in This Submission		Attorney Docket Number	40019-0008
ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement with Form PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response To Missing Parts Under 37 Cfr 1.52 Or 1.53 <input type="checkbox"/> Copy Of Notice		<input checked="" type="checkbox"/> Power of Attorney and Correspondence Address Indication Form) <input checked="" type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> STAMPED RETURN POSTCARD	
Remarks		AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.	
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual name	HELLER EHRMAN LLP		David C. Foster, Reg. No. 44,685
	275 Middlefield Road, Menlo Park, California 94025		Telephone: (650) 324-7000 Facsimile: (650) 324-0638
Signature	<i>David C. Foster</i>		
Date	July 18, 2005	Customer Number:	33123
CERTIFICATE OF EXPRESS MAILING			
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Typed or printed name	Sylvia Rogers		
Signature	<i>Sylvia Rogers</i>	Date	July 18, 2005

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PTO/SB/81 (11-04)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	09/919,758
Filing Date	July 31, 2001
First Named Inventor	Xiaowu Liang
Title	Method for Generating ...
Art Unit	1637
Examiner Name	T. E. Strzelocka
Attorney Docket Number	40049-0004 40019-0008

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

33123

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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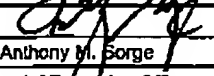
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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/86)**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	5-5-05
Name	Anthony M. Sorge	Telephone	858-457-1919
Title and Company Chief Executive Officer of Gene Therapy Systems, Inc.			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of one (1) forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/98 (09-04)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Xizowu UahgApplication No./Patent No.: 09/919,758Filed/Issue Date: July 31, 2001Entitled: METHOD FOR GENERATING TRANSCRIPTIONALLY ACTIVE DNA FRAGMENTSGENE THERAPY SYSTEMS, INC.a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011082, Frame 0291, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

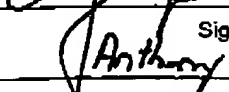
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature
Anthony Sargf
Printed or Typed Name
CEO
Title

5-5-05
Date
858-457-1919
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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